

and these claims are submitted to define patentable subject matter warranting their allowance. Accordingly, applicant respectfully requests favorable reconsideration and allowance.

Claims 18-23 and 30-33 have been rejected as obvious under §103 from Wiegand in view of Novak. This rejection is respectfully traversed.

First, the present invention is directed to a filter. Weigand does not disclose a filter, but instead discloses a sorbent for depositing on top of water which is polluted with oil, so that the sorbent will absorb and remove the oil.

Novak has not been cited to make up for this deficiency, and indeed does not do so. Indeed, Novak is simply directed to a method of making a sizing material for use in paper. There is no relationship between Novak and Weigand, and no relation between the present invention and either Weigand or Novak.

Even if Weigand were to be interpreted as being directed to a filter, which it is not, there is nothing in either Novak or Weigand which would lead the person of ordinary skill in the art to use Novak's sizing material, intended and taught for an entirely different purpose, in place of Weigand's sizing material. No advantage is taught by the substitution of one for the other, and such a substitution becomes "obvious" only after one has read applicant's specification.

Indeed, the rejection states that the substitution would be obvious because the Novak sizing agent is said to be capable of imparting water repellency. If this means that the Weigand sizing agent does not impart water repellency, then it is clear that the substitution of the Novak sizing agent for the Weigand sizing agent would be contrary to the objectives of Weignad, and indeed possibly destroy Weigand for its intended purpose. This can never be obvious.

On the other hand, if the Weigand sizing agent already imparts water repellency to the Weigand oil sorbent, then there is nothing which the skilled artisan could expect to be gained by such a substitution, and again the substitution would not be obvious.

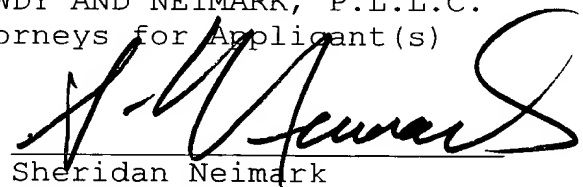
Withdrawal of the rejection is in order and is respectfully requested.

Applicant respectfully requests favorable reconsideration and allowance.

Respectfully submitted,

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